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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,948	07/29/2003	Wei Zhan Hang	33417/US	1775

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EXAMINER

A, PHI DIEU TRAN

ART UNIT	PAPER NUMBER
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3637

DATE MAILED: 06/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Applicati n No. 10/630,948	Applicant(s) HANG, WEI ZHAN	
	Examiner Phi D. A	Art Unit 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-9 and 11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-9, 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/28/06 has been entered.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 7-9, 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 lines 11, 13 “is adapted to receive” is indefinite as it is confusing the scope of the claim. Both the carrier and the panels are claimed limitations; thus, their relationship must be positively claimed; for example “said carrier receives....”.

Claim 8 lines 2-3 “for sliding cooperation” has the same problem as set forth above. Should it be “slides in cooperation....”?

Claim 9 “extends vertically above” is indefinite as it is unclear what applicant is trying to set forth. Is applicant trying the claim that the “locking lug extends higher than the upstanding free end from the arm”?

Claim 11 “ the first hook-like flange” is indefinite. Should it be “ the first hook-shaped flange”?

Lines 3-4 “ rim being adapted for sliding cooperation” has the same problem as claim 8 above.

Line 5 “ to the pair of carriers” is indefinite. There is only one carrier being claimed, and the rim is attached to the arm of one carrier only.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rothenbach (3280530) in view of Neumann et al (3246074).

Rothenbach (figure 1) shows a carrier (8), a paneling system (6, 7) wherein the paneling system has at least a pair of longitudinally adjacent panels (6, 7), each of which has a first and a second hook-shaped flange (6a, 7a) extending longitudinally from the opposite sides of the panel, the carrier comprising an arm (22a) that extend longitudinally from a vertically extending member (8c).

Rothenbach does not show the arm including a first upwardly open U-shaped channel between an upstanding free end and an upstanding locking lug and a second upwardly open U-

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shaped channel between the locking lug and the vertically extending member, the first channel of the carrier being adapted to receive the first hook shaped flange of the one panel of the pair of the panels and the second channel of the carrier being adapted to receive the second flange of the other panel of the pair of panels to attach the pair of panels to the carrier.

Neumann et al (figure 7) shows a panel having an end with hook shape flanges (36, 34) engaging a first upwardly open U-shaped channel between an upstanding free end and an upstanding locking lug and a second upwardly open U-shaped channel between the locking lug and the vertically extending member to secure the panel in place.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Rothenbach's structure to show the arm including a first upwardly open U-shaped channel between an upstanding free end and an upstanding locking lug and a second upwardly open U-shaped channel between the locking lug and the vertically extending member, the first channel of the carrier being adapted to receive the first hook shaped flange of the one panel of the pair of the panels as taught by Neumann et al and the second channel of the carrier being adapted to receive the second flange of the other panel of the pair of panels to attach the pair of panels to the carrier because having the flanges of the panels inserted into a first and second U-shaped channels formed by an upstanding free end and an upstanding free end and the locking lug and the vertically extending member would enable the secure mounting of the panels to the carrier member as the channels with the flanges inserted therein would prevent the panels from getting lose by lateral motions, the first hook like flange comprising a first downwardly extending rim, the rim being adapted for sliding cooperation with the carrier during installation of the panel to the carrier.

3. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rothenbach (3280530) in view of Neumann et al (3246074).

Rothenbach as modified shows all the claimed limitations except for the upstanding free end of the arm comprising a downwardly and outwardly angled surface.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Rothenbach's modified structure to show the upstanding free end of the arm comprising a downwardly and outwardly angled surface because the tapering surface enables the easy sliding and hooking of the panel (7) onto the first channel.

4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rothenbach (3280530) in view of Neumann et al (3246074) as applied to claim 7 or 8 above and further in view of Ritter (4937994).

Rothenbach as modified shows all the claimed limitations except for the locking lug extending vertically above the upstanding free end.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Rothenbach's modified structure to show the locking lug extending vertically above the upstanding free end as taught by Ritter because having a higher locking lug would ensure that the panel (6) which is at a higher elevation as it is on top of the other panel, be lockingly secured in the second channel.

5. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rothenbach (3280530) in view of Neumann et al (3246074).

Rothenbach as modified shows all the claimed limitations except for the rim having an outwardly angled surface facing the adjacent longitudinal side of the panel.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Rothenbach's modified structure to show the rim having an outwardly angled surface facing the adjacent longitudinal side of the panel because the rim having an outwardly angled surface facing the adjacent longitudinal side of the panel, would allow for the easy sliding of the flange onto the end of the carrier member and into the channel as the tapering surface enhances the angle of approach of interfitting parts.

Response to Arguments

6. Applicant's arguments with respect to claims 7-9, 11 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art shows different panel mounting device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phi D A whose telephone number is 571-272-6864. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 571-272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Phi Dieu Tran A', with a large, sweeping flourish at the end.

Phi Dieu Tran A

6/6/06